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20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA

22  
 23 TODD SIMON, for Himself, as a Private  
 Attorney General, and/or On Behalf Of All  
 Others Similarly Situated,

24 Plaintiff,

25 v.

26 CARTER'S, INC.; THE WILLIAM CARTER  
 COMPANY; and DOES 1-10, inclusive,  
 27

28 Defendants.

Case No. 4:20-cv-01436-JSW

**STIPULATION AND [PROPOSED]  
 ORDER OF DISMISSAL**

## **STIPULATION OF DISMISSAL**

COME NOW, Plaintiff Todd Simon and Defendants Carter's, Inc., and The William Carter Company STIPULATE as follows and respectfully REQUEST that the Court enter an Order mandating that:

1. All of the claims alleged by Plaintiff Todd Simon individually in the operative First Amended Complaint be DISMISSED WITH PREJUDICE.
  2. All of the claims alleged by Plaintiff Todd Simon on behalf of the class defined in Paragraph 84 of the First Amended Complaint be DISMISSED WITHOUT PREJUDICE.

Dated: February 8, 2021

HATTIS & LUKACS

SHEPPARD, MULLIN,  
RICHTER & HAMPTON LLP

By: /s/ Paul Karl Lukacs

DANIEL M. HATTIS  
PAUL KARL LUKACS

*Attorneys for Plaintiff Todd Simon  
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By: */s/ Jay T. Ramsey*

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The William Carter Company*

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: February 9 , 2021

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**HON. JEFFREYS S. WHITE**

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